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14
15 **UNITED STATES DISTRICT COURT**
16 **DISTRICT OF NEVADA**

17 ROCKWELL AUTOMATION, INC.,

18 Plaintiff,

19 vs.
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21 BECKHOFF AUTOMATION LLC and
22 BECKHOFF AUTOMATION GmbH,

23 Defendants.
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Case No. 2:13-cv-01616-RCJ-NJK

TEMPORARY RESTRAINING ORDER

1 This matter having come before the Court on Plaintiff Rockwell Automation, Inc.'s
2 ("Rockwell's") motion for a temporary restraining order and preliminary injunction, (Docket Nos.
3 7 & 8), and Plaintiff having sought an order prohibiting Defendants from using, selling, offering to
4 sell, distributing, displaying, importing, using in commerce, demonstrating, or advertising, directly
5 or indirectly, the eXtended Transport System ("XTS System"), at any and all trade shows,
6 conventions, seminars or conferences conducted within the United States, its possessions, and
7 territories, including but not limited to, the PACK Expo 2013 tradeshow in Las Vegas, Nevada,
8 scheduled to begin on September 23, 2013; and the Court, having reviewed the pleadings, papers,
9 and declarations on file, and having heard from the parties at oral argument on September 20,
10 2013, and for the reasons stated by the Court on the record, Plaintiff's motion is **GRANTED IN-**
11 **PART** and **DENIED IN-PART**.

12 **IT IS HEREBY ORDERED THAT**, pending further hearing on Rockwell's motion for
13 preliminary injunction:

14 1. Defendants Beckhoff Automation LLC and Beckhoff Automation GmbH (together
15 "Beckhoff") and all such persons acting in concert or participation with them, are hereby
16 temporarily enjoined and restrained from:

17 a. Accepting any orders to sell the XTS System to customers in the United
18 States; or

19 b. Transporting the XTS System products and components exhibited in the
20 Pack Expo 2013 show outside of the United States.

21 2. In all other respects, Plaintiff's Motion for Temporary Restraining order is
22 **DENIED**.

23 **IT IS HEREBY FURTHER ORDERED THAT**, pending further hearing on Rockwell's
24 motion for preliminary injunction:

25 1. To the extent commercially reasonable, Beckhoff shall document its interactions
26 with any customers or potential customers related to the XTS System by: (a) retaining identifying
27 information received from all such customers or potential customers with whom Beckhoff
28 communicates, receives inquiries from, or provides technical and commercial information beyond

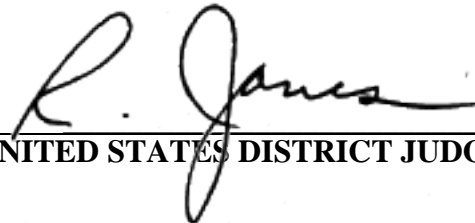
1 general product flyers and marketing brochures; and (b) maintaining copies of all documents
2 received from or provided to such customers or potential customers. Nothing in this Order shall
3 prohibit Beckhoff from showing and demonstrating the XTS system at the PACK Expo 2013
4 tradeshow in Las Vegas, Nevada, and thereafter and conducting such activities as, without
5 limitation, accepting requests for proposals, providing general product flyers, marketing
6 brochures, general pricing, and other information and materials relating to the XTS System..

7 2. This Court has not made any determinations or findings regarding infringement or
8 the likelihood of success on the merits by Plaintiff..

9 3. Upon entry of this Order upon the Court's docket, Plaintiff shall submit \$10,000 to
10 the Clerk of the Court as security for this temporary restraining order; and

11 4. The Court shall conduct a hearing on Plaintiff's motion for preliminary injunction
12 on October 29 and 30, 2013, in Reno courtroom 6 beginning at 9:00 a.m. before Chief Judge
13 Robert C. Jones .

14 IT IS SO ORDERED this 7th day of October, 2013.
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18 UNITED STATES DISTRICT JUDGE
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